

Washington, DC - Rep. Peter Welch supported legislation today that protects journalists from being compelled to reveal confidential sources.

The Free Flow of Information Act of 2007, [H.R. 2102](#), passed the House this afternoon and will "shield" journalists from being forced to reveal confidential information related to their work or put their sources at risk of prosecution.

"The free flow of information and a vigorous media are vital to our democracy and for achieving public accountability," said Welch. "This legislation strikes the right balance between protecting journalists and their sources and promoting the public's right to know."

The Act protects confidential sources unless a federal court determines that extreme exceptions apply, such as to prevent an act of terrorism, significant harm to national security, imminent death, or significant bodily injury. The legislation requires that, in the case of such exceptions, the compelled disclosure of evidence will be narrowly tailored.

While 49 states and the District of Columbia recognize a reporter's privilege through statute or common law, no uniform federal standard exists to govern when testimony can be sought from reporters.

Recent groundbreaking stories such as conditions at Walter Reed Medical Center, prisoner abuse at Abu Ghraib, or the Enron scandal became public first with the use of confidential sources.

Welch spoke in support of the Free Flow of Information Act on the House floor earlier this morning before passage (statement below).

Similar legislation is being considered in the U.S. Senate.

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**REP. PETER WELCH STATEMENT IN SUPPORT OF H.R. 2102,
THE FREE FLOW OF INFORMATION ACT**

M___ Speaker, I rise today in support of H.Res. 742, the Rule providing for the consideration of H.R. 2102, the Free Flow of Information Act.

Before I begin, I want to thank Chairman Conyers and the Judiciary Committee for their hard work on this bill. The free flow of information is vital to our democracy.

This important legislation protects the public's right to know, while at the same time honoring the public interest in having reporters testify in certain circumstances.

While news organizations prefer to have their sources on-the-record whenever possible, there are times when sources will not come forward without the promise of confidentiality. Groundbreaking stories - such as conditions at Walter Reed Medical Center and Abu Ghraib, the Enron scandal and steroid abuse in Major League Baseball - would not have been known to the public - or to the Congress - without confidential sources.

Over the last few years, more than 40 reporters and media organizations have been subpoenaed or questioned about their confidential sources, their notes, and their work product in criminal and civil cases in federal court. The need for this legislation was underscored when, on August 13, a federal judge ordered five more reporters from major news organizations to reveal their confidential sources in the privacy lawsuit filed by Dr. Steven Hatfill against the federal government.

If sources - including government and private sector whistleblowers - are uncertain whether reporters have adequate protection, they will not come forward and the public dialogue on important issues will diminish.

This shield is qualified however. If the information possessed by the journalist is necessary to prevent an act of terrorism, imminent death or significant bodily injury, or harm to national security, disclosure will be compelled.

While 49 states and the District of Columbia recognize a reporter's privilege through statute or common law, no uniform federal standard exists to govern when testimony can be sought from reporters.

Journalists should be the last resort - not the first stop - for civil litigants and prosecutors attempting to obtain the identity of confidential sources.

I urge my colleagues to vote "YES" on H.Res. 742, and "YES" on the underlying bill.